

VZCZCXRO4346

OO RUEHDE RUEHJO RUEHMR RUEHROV RUEHTRO
DE RUEHNR #2024/01 2681008

ZNR UUUUU ZZH

O 251008Z SEP 09

FM AMEMBASSY NAIROBI

TO RUEHXX/GENEVA IO MISSIONS COLLECTIVE IMMEDIATE

RUEHC/SECSTATE WASHDC IMMEDIATE 1097

RUCNDT/USMISSION USUN NEW YORK IMMEDIATE 7563

RUCNRCC/REFUGEE COORDINATOR COLLECTIVE

INFO RUCNEAE/EAST AFRICAN ESC POSTS COLLECTIVE

RUCNRCC/REFUGEE COORDINATOR COLLECTIVE

RUCNSOM/SOMALIA COLLECTIVE

RUEAHQA/AFAAO WASHINGTON DC

RUEHNR/KUSLO NAIROBI KE

UNCLAS SECTION 01 OF 02 NAIROBI 002024

SIPDIS

PRM/FO POLLACK, PRM/AFR LANGE, AND RMA/MULREAN

E.O. 12958: N/A

TAGS: KE OPDC PGOV PREF PREL

SUBJECT: A "STEP BACKWARD" ON LAND IN DADAAB

REF: A. A. AUGUST 07 2009 EMAIL: PETER MULREAN TO PRM
FRONT OFFICE

1B. B. 09 ADDIS 574

1C. 09 NAIROBI 1616

11. Summary. This is an action request. See paragraph 7. The Government of Kenya (GOK) has yet to authorize the United Nations High Commissioner for Refugees (UNHCR) to construct a fourth refugee camp in Dadaab to relieve severe overcrowding. UNHCR Africa Region Head George Okoth-Obbo said the delay in authorizing land means that the direct intervention by President Kibaki will now be necessary to overcome entrenched local Member of Parliament (MP) opposition and central government security concerns to allocate the land to UNHCR. Ambassador Ranneberger and Okoth-Obbo agree that senior USG and other international representatives at the United National General Assembly (UNGA) and the UNHCR Executive Committee (EXCOM) meetings should be used to increase the pressure on GOK to allocate land for a fourth refugee camp in Dadaab. End Summary.

12. George Okoth-Obbo - UNHCR Africa Region Head - briefed the Ambassador on September 23 on the status of UNHCR's efforts to secure needed additional land in Dadaab. Okoth-Obbo said he came to Kenya in advance of UNHCR's annual EXCOM meeting (September 28 - October 2) to follow-up on Kenyan President Kibaki commitment to UNHCR High Commissioner Antonio Guterres to send a high-level inter-ministerial delegation to Dadaab and respond to UNHCR's request for additional land (Ref A).

Proposed Camp Expansions Are Impractical

13. Okoth-Obbo said MP Farah Maalim (MP for Lagadera District and Deputy Speaker of Parliament) traveled to Dadaab together and was emphatic that Maalim would only agree to an extension of the two camps in his district (Hagadera and Dhagahaley) and demarcated for Okoth-Obbo the extent of the camp extensions he would accept. Okoth-Obbo confirmed to the Ambassador that UNHCR has already deployed technical staff (engineers and hydrologists) to Dadaab to plan the extensions, but admitted that "in the best of circumstances" the extensions could only accommodate 50,000-60,000 refugees while UNHCR required space for an estimated 200,000 refugees.

Okoth-Obbo said the camp extensions were an impractical solution to the overcrowding with the only feasible option being the establishment a fourth camp in Fafi District for 100,000 refugees that had already been agreed to with MP Adam Sugow and the Fafi community.

14. Okoth-Obbo said Maalim warned him he would vigorously

oppose the creation of a fourth camp in neighboring Fafi District even if the proposed camp were located in another MP's district and the local community supported it. Maalim confirmed that he is the "obstacle" to UNHCR's request for a fourth camp in Dadaab and would negatively influence the central government's decision to allocate land. Maalim warned UNHCR that if the fourth camp were to be allocated, there would be "bloodshed." Okoth-Obbo said Maalim repeated the "alarming" language the following day when he entered Minister Otieno Kajwang's (Minister of Immigration and Register of Persons) office and confronted MP Sugow during a meeting with UNHCR. According to Okoth-Obbo, Minister Kajwang escorted Maalim from his office to avoid Maalim physically confronting Sugow.

¶15. Okoth-Obbo believes the central government's failure to make a decision on the land has only empowered Maalim to try and intimidate Sugow and UNHCR into accepting Maalim's unrealistic resolution to the looming crisis. Okoth-Obbo, however, doubts Minister Kajwang is able to affect a central government decision on the land and believes that President Kibaki has been "poisoned" by his advisors to not accept a fourth camp on security grounds.

Ratcheting Up the Pressure

¶16. The Ambassador agreed that only a fourth camp will sufficiently relieve the overcrowding in Dadaab and relayed our offers to the Kenyans to assist them in addressing their

NAIROBI 00002024 002 OF 002

security concerns. He indicated he continues to emphasize to senior GOK officials that, while the GOK has legitimate security concerns with Somalis flowing uncontrollably into Kenya, he argued that a new camp would be a positive contribution to Kenya's security by improving the ability of GOK to screen and manage Somali asylum seekers and provide an opportunity to mitigate public health threats. The Ambassador also indicated that the delay in sending the delegation to Dadaab and a decision on the land means that now direct intervention by the President will be the only way to overcome Maalim's objections and the central government's security concerns for a fourth camp. The Ambassador suggested that the presence of senior USG and international representatives to the UNGA and the upcoming UNHCR EXCOM meetings offer opportunities to ratchet up the pressure on GOK officials.

¶16. Okoth-Obbo agreed to the Ambassador's suggestion that High Commissioner Guterres call both President Kibaki and Prime Minister Odingo asking them why commitments made in August have yet to be fulfilled and to alert them to his intention of using EXCOM to highlight the GOK's failure to take timely action in relieving humanitarian suffering in Dadaab. Okoth-Obbo said UNHCR will also mobilize its international partners to pressure GOK to allocate land during EXCOM. Finally, Okoth-Obbo agreed that the Deputy UNHCR High Commissioner, who had established a working relationship with George Saitoti, Minister for Provincial Administration and Internal Security, should alert Saitoti to the High Commissioner's plans to call the President and Prime Minister and UNHCR's intent to use EXCOM to highlight how the GOK's failure to allocate land in a timely manner is directly related to a looming humanitarian crisis in Dadaab.

¶17. Action Request. As part of the effort to ratchet up the pressure on the GOK, we recommend that the Africa Bureau and the Bureau of Population, Refugees and Migration:

-- ensure the talking points prepared for meetings with GOK officials at UNGA and EXCOM express our concern that a humanitarian crisis is looming in Dadaab due to overcrowded conditions and that GOK failure to allocate land for a fourth camp is directly responsible for exacerbating the

deteriorating conditions in Dadaab. We suggest that the talking points include the following points: that the Fafi MP and Fafi community leaders have already agreed to the establishment in Fafi District; that a fourth camp will enhance Kenya's security by controlling the flow and management of Somali asylum seekers in Kenya, by providing an opportunity for Kenyan security officials to screen new arrivals before they enter the camps, and by giving public health officials an opportunity to identify and control communicable diseases such as cholera, measles and H1N1 before they spread in the camps and to local communities; and, that the USG continues to extend its offer to reinforce Kenyan security measures around the camps including contributions towards building a screening center for asylum seekers and training Administrative Police slotted to patrol the refugee camps.

-- draw on this and the referenced cables (Ref B) to demarche key international partners - most notably the EU - to seek opportunities during EXCOM to express their frustration with GOK's failure to allocate land for a fourth Dadaab camp and urging GOK to work more collaboratively with UNHCR to improve conditions for Somali refugees in Kenya.

RANNEBERGER